TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER AN ISSUED PATENT

In re Application of: Nicolai Kosche et al.
Application No.:   09/834,770
Filing Date: April 13, 2001
Title: Method and Apparatus for Detecting Violations of Type Rules in a
                      Computer Program

      The owner*, Sun Microsystems, Inc. of a 100 percent interest in the above-identified instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to 156 and 173, as presently shortened by any terminal of prior Patent No. 6,718,542. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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[ ]   As I am not a person registered to practice before the Office, I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and believe are believed to be true; and further, that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Respectfully submitted,
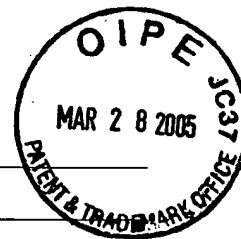
By   _____
            Edward J. Grundler (Patent Agent)
            Registration No. 47,615

Date: March 25, 2005

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*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Certificate Under 37 CFR 3.73(b)

Applicant/Patent Owner: <u>Nicolai Kosche et al.</u>

Application No./Patent No.: <u>09/834,770</u>   Filed/Issue Date: <u>April 13, 2001</u>

Entitled: <u>Method and Apparatus for Detecting Violations of Type Rules in a Computer Program</u>

<u>Sun Microsystems, Inc.</u>   , a <u>Corporation</u>
(Name of Assignee)   (Type of Assignee, e.g. corporation, partnership, university, government agency, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application/patent identified above by virtue of either:

A. [x]   An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel <u>011707</u>, Frame <u>0765</u>, or for which a copy thereof is attached.

OR

B. [ ]   A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

    1. From: _____   To: _____

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    [ ] Additional documents in the chain of title are listed on a supplemental sheet.

[ ] Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application/patent identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application/patent or any patent issuing thereon.

Date: <u>March 25, 2005</u>

Name: <u>Edward J. Grundler (Reg. No. 47,615)</u>

Title: <u>Patent Agent</u>

Signature: _____